

**APRIL 26, 2016 MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:00 – 6:18 P.M.**

COUNCIL MEMBERS PRESENT: R. Coe, J. Henderson, J. Pendergraph, R. West
L. McIntosh

OTHERS PRESENT G. Greeson, City Manager
K. Gonzalez, City Attorney
A. Wightman, Police Chief
J. Waggershauer, Fire Chief

PLEDGE OF ALLEGIANCE:

Council member R. West led the pledge of allegiance.

PUBLIC COMMENT

None.

CONSENT CALENDAR

It was moved by council member R. Coe, seconded by J. Henderson **to approve minutes from the regular City Council meetings on March 22 and April 12, 2016; Proclamation Declaring April 2016 as Child Abuse Prevention Month and Second Reading and Adoption of Ordinance No. 458 to amend the Swimming Pool Regulations in Section 18.60.320 of the Wheatland Municipal Code.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

G. Greeson introduced discussion of authorizing the city's participation in the California HERO Program and adopt resolution. Yuba County Administrator Robert Bendorf explained that Assembly Bill (AB) 811 was signed into law on July 21, 2008, and AB 474, effective January 1, 2010, amended Chapter 29 of Part 3 of Division 7 of the Streets & Highways Code of the State of California ("Chapter 29") and authorizes a legislative body to designate an area within which authorized public officials and free and willing property owners may enter into voluntary contractual assessments to finance the installation of distributed generation renewable energy sources, energy efficiency, and/or water conservation improvements that are permanently fixed to real property, as specified. Since 2011, the HERO Program has helped more than 50,000 property owners make more than \$1.02 billion in improvements to their homes which reduce energy and water consumption, saving homeowners over \$1.9 billion in estimated future utility costs and more than 1.9 billion gallons of water. Adopted in 360 California communities, more than 8,600 local jobs have been created as a result of HERO. Because of its success, the California HERO Program was developed as a turnkey program to save other California jurisdictions time and resources in developing a standalone program. Jurisdictions only need to adopt the form of resolution accompanying this staff report and approve an amendment to the joint exercise of powers agreement related to the California HERO Program attached to such resolution to begin the process. The California HERO Program is being offered to allow property owners in participating cities and counties to

finance renewable energy, energy water efficiency improvements and electric vehicle charging infrastructure on their property. If a property owner chooses to participate, the improvements to be installed on such owner's property will be financed by the issuance of bonds by a joint power authority, Western Riverside Council of Governments ("WRCOG"), secured by a voluntary contractual assessment levied on such owner's property. Participation in the program is 100% voluntary. Property owners who wish to participate in the program agree to repay the money through the voluntary contractual assessment collected together with their property taxes. The benefits to the property owner include; eligibility: In today's economic environment, alternatives for property owners to finance renewable energy/energy efficiency/water efficiency improvements or electric vehicle charging infrastructure may not be available. As such many property owners do not have options available to them to lower their utility bills; savings: Energy prices continue to rise and selecting in energy efficient, water efficient and renewable energy models lower utility bills; 100% voluntary. Property owners can choose to participate in the program at their discretion; payment obligation stays with the property. Under Chapter 29, a voluntary contractual assessment stays with the property upon transfer of ownership. Even if there were private enterprise alternatives, most private loans are due on sale of the benefited property, which makes it difficult for property owners to match the life of the repayment obligation with the useful life of the financed improvements. Certain mortgage providers will, however, require the assessment be paid off at the time the property is refinanced or sold; prepayment option. The property owner can choose to pay off the assessments at any time, without incurring prepayment penalties; customer oriented program. Part of the success of the program is the prompt customer service; consumer Protection Policies. The HERO Program for years has been offering a high level of service to the residents of California. With recent development of local PACE programs, HERO has been working to insure the homeowner remains the number one concern. The issuers of the HERO Program; Western Riverside Council of Governments, Los Angeles County, and San Bernardino Council of Governments, got together and formed 15 points of consumer protections for the PACE industry. All of the HERO Program issuers have agreed to abide by these terms for the betterment of the PACE consumer. The benefits to the City include; increase in local jobs; an increase in housing prices (higher efficient homes are worth more money); an increase in sales, payroll and property tax revenue; as in conventional assessment financing, the City is not obligated to repay the bonds or to pay the assessments levied on the participating properties; all California HERO Program and assessment administration, bond issuance and bond administration functions are handled by California HERO. Little, if any, City staff time is needed to participate in the California HERO Program and the City can provide access for its residents to the California HERO Program without the higher staff costs that an independent program established by the City would require. The proposed resolution enables the California HERO Program to be available to owners of property within our City to finance renewable energy, energy efficiency and water efficiency improvements and electric vehicle charging infrastructure. The resolution approves an Amendment to the WRCOG Joint Powers Agreement to add the City as an Associate Member in order that the California HERO Program may be offered to the owners of property located within the City who wish to participate in the California HERO Program. The City Attorney has reviewed the WRCOG Joint Powers Agreement and it is available upon request. There is no negative fiscal impact to the City's general fund incurred by consenting to the inclusion of properties within the City limits in the California HERO Program. All California HERO Program administrative costs are covered through an initial administrative fee included in the property owner's voluntary contractual assessment and an annual administrative fee which is also collected on the property owner's tax bill.

It was moved by council member R. West, seconded by L. McIntosh to approve **Resolution No. 07-16 Consenting to Inclusion of Properties Within The City's Jurisdiction in the California HERO Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure and Approving the Amendment to a Certain Joint Powers Agreement Related Thereto.** Vote called – AYES: All. Motion carried.

REPORTS

R. West and G. Greeson reported on SACOG audit on local transportation funds and site visits.
J. Henderson reported on the YSEDC meeting.

ADJOURN

There being no further business, Mayor Jay Pendergraph adjourned the meeting at 6:18 p.m.

Minutes approved and adopted this 26th day of May, 2016.

Jay Pendergraph, *Mayor*

Lisa J. Thomason, *City Clerk*